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<b>ELECTRONICALLY FILED</b>
<b>DOC #:</b> _____
<b>DATE FILED: 04/21/2023</b>

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April 20, 2023

**VIA ECF**

The Honorable Magistrate Judge Katharine H. Parker  
U.S. District Court for the Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007

**Re: Andre Payne v. BlueTriton Brands, Inc.  
Docket No.: 1:23-cv-00939**

**APPLICATION DENIED**

KATHARINE H. PARKER  
United States Magistrate Judge

**04/21/2023**

Dear Judge Parker:

We represent Defendant BlueTriton Brands, Inc. (“BlueTriton”) in the above-referenced matter. In accordance with Rule I.C of Your Honor’s Individual Practices, we respectfully write jointly on behalf of the parties to request an adjournment of the Initial Conference currently scheduled for April 27, 2023 at 11:15 A.M. The parties respectfully request that the Initial Conference be adjourned pending the outcome of BlueTriton’s pre-motion conference request regarding its anticipated motion to strike the class allegations in Plaintiff’s Complaint and its motion to dismiss Plaintiff’s Complaint in its entirety.

This is the parties’ first request for an adjournment and it does not affect any other scheduled dates or deadlines. We thank Your Honor for your consideration of this request.

Respectfully submitted,

OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.

By: s/ Kelly M. Cardin

Kelly M. Cardin  
Jessica R. Schild